

Remarks

Claims 1-3 were rejected as anticipated by ITOH et al. 4,623,222. Reconsideration and withdrawal of the rejection are respectfully requested.

Claim 1 includes, among other features, a transparent front panel. The Official Action indicates that the element 91 in ITOH et al. is a transparent front panel. However, element 91 is a printed circuit substrate (column 3, lines 36-46). There is no indication in this reference that the printed circuit substrate is transparent. Further, the device in ITOH et al. is a rear view mirror for an automobile. The mirror 8 is seen through an LC layer 6. The printed circuit substrate 91 is behind the mirror (within the frame body 2) and would not be seen. Thus, there is no basis for asserting that the printed circuit substrate would be transparent. Further, since the printed circuit substrate 91 is within the frame body 2 and not exposed at all, it does not have to withstand any external force and would not act as an overcoat for protecting the LC layer. Since the printed circuit substrate is not transparent and does not act as an overcoat for protecting the LC layer, the rejection under §102 should be withdrawn.

With regard to claim 2, note that the front panel 3a of ITOH et al. does not have holes in a peripheral area.

Claim 4 was rejected as anticipated by KUBO et al. 4,826,297. Reconsideration and withdrawal of the rejection are respectfully requested.

Initially, please note that claim 4 includes the subject matter of claim 1, which was not rejected in view of KUBO et al. and thus claim 4 is allowable over this reference because it includes the subject matter of claim 1.

In addition, claim 4 includes a transparent front panel with a central area that is thicker than a peripheral area of the front panel, whereby a step is formed at the boundary between the central and peripheral areas. Figure 2 of KUBO et al. discloses that the transparent upper substrate 4 has a constant thickness (there is no step), and thus this claim further avoids the rejection under §102. The Official Action points to Figure 2 for this feature without explanation. It is not apparent what the Official Action is referring to as it is clear that the substrate 4 has a constant thickness.

Claim 5 was rejected as unpatentable over KUBO et al. Reconsideration and withdrawal of the rejection are respectfully requested.

Please note that claim 5 includes the subject matter of claim 1, which was not rejected in view of KUBO et al. and thus claim 5 is allowable over this reference because it includes the subject matter of claim 1.

In addition, claim 5 provides that the front panel includes first and second portions, where the first portion is substantially the same thickness as the rear panel and where the second portion covers the first portion.

The Official Action acknowledges that KUBO et al. do not disclose the second portion but opines that one of skill in the art would be motivated to employ an additional layer for providing extra protection. However, there is nothing of record to indicate that the protection provided by the front panel of KUBO et al. is inadequate and thus there is nothing of record to support the assertion that one of skill in the art would add another layer for extra protection. Further, it is not clear why one of skill in the art would add another layer to the front panel for extra protection. The device could be encased in a protective frame, for example. There is nothing of record to indicate that adding a portion to the front panel would provide extra protection.

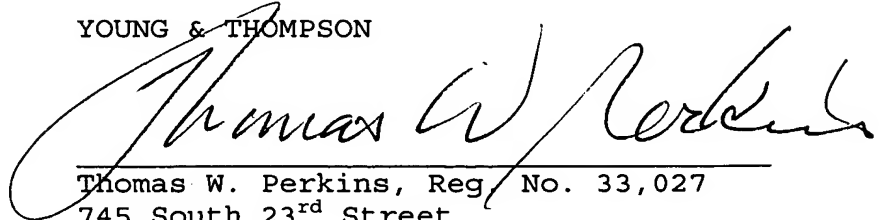
In view of the foregoing remarks, it is believed that the present application is in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional  
fees required under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17.

Respectfully submitted,

YOUNG & THOMPSON



---

Thomas W. Perkins, Reg. No. 33,027  
745 South 23<sup>rd</sup> Street  
Arlington, VA 22202  
Telephone (703) 521-2297  
Telefax (703) 685-0573  
(703) 979-4709

TWP/lrs